

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-550 (Sub-No. 1X)

R.J. CORMAN RAILROAD COMPANY/ALLENTOWN LINES, INC.–
ABANDONMENT EXEMPTION–IN LEBANON COUNTY, PA

Decided: April 10, 2002

R.J. Corman Railroad Company/Allentown Lines, Inc. (RJC�) filed a notice of exemption under 49 CFR 1152.50 to abandon: (1) the Cornwall Industrial Track between approximately milepost 0.9 and approximately milepost 3.66; and (2) the Lebanon Industrial Track between approximately milepost 18 and approximately milepost 18.6, a distance of approximately 3.36 miles, in Lebanon County, PA.¹ On October 16, 2001, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for Lebanon Valley Rails-to-Trails (LVRT) to negotiate an interim trail use/rail banking agreement with RJC� for the right-of-way involved in this proceeding.² The negotiating period under the NITU is scheduled to expire on April 15, 2002.

On April 2, 2002, LVRT requested a 180-day extension of the negotiating period so that remaining title searches and final negotiations with RJC� can be completed. In a response by facsimile submission received on April 8, 2002, RJC� advised that it supports the extension request.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.³ An extension of the negotiating period will promote the establishment

¹ Notice of the exemption was served and published in the Federal Register on September 17, 2001 (66 FR 48076).

² The October 16, 2001 decision also imposed a public use condition (which will expire on April 15, 2002) and imposed conditions that required RJC�: (1) to consult with the Natural Resources Conservation Service (Harrisburg, PA office) to develop methods for salvage operations that will be consistent with the protection of Prime Farmland or Farmland of Statewide Importance; and (b) to consult with the National Geodetic Survey (NGS) and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic station markers.

³ See Rail Abandonments–Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the negotiating period will be extended to October 12, 2002.

As conditioned, this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to October 12, 2002.
2. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary